IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3171 OF 2005

Chandrakant Damduji Sontakke & Anr. ..Applicants.

V/s.

Shri Balkrisna Changu Bajee & Anr. ..Respondents.

Mr.R.L.Patil i/b Mr.D.Purekar for applicants.

Mrs. G.P.Mulekar, APP for State.

CORAM: A.M.KHANWILKAR,J

DATE : DECEMBER 19, 2005.

P.C. :

1. As remedy of revision is available, the applicant ought to have resorted to that remedy instead of invoking inherent jurisdiction of this court under section 482 of the Code. In such situation it is not open for this court to exercise inherent powers in view of the exposition of this Court in the cases of **V.K.Jain & Ors. vs. Pratap V.Padode reported in 2005(3) Mh.L.J. 778** and in the unreported Judgment in the case of **Chetan R. Nagda & Ors. V/s. N.D.Pawar & Ors. in Cri.W.P. No.1023 of 2005 dated 8th December, 2005**.

2. Counsel for the applicants however, submits that atleast trial court be directed to expedite

hearing of the case, which is Summary Case pending since 1995. This request being reasonable will have to be granted. The trial court is directed to expedite trial, preferably conclude the same by end of June, 2006, unless any other older matter is pending on its file than the one being Summary Criminal Case No.25 of 1995.

3. Petition is disposed of on the above terms.